

¹ Under Rule 4 of the Rules Governing § 2255 Proceedings, the court may summarily dismiss a § 2255 motion where it is clear from the motion and the record of prior proceedings that the defendant is not entitled to relief.

This court may consider a second or successive § 2255 motion only upon specific certification from the United States Court of Appeals for the Fourth Circuit that the claims in the motion meet certain criteria. *See* § 2255(h). Court records indicate that Courtney previously filed a § 2255 motion concerning this same conviction and sentence, and I dismissed it as without merit. *United States v. Courtney*, No. 2:15CR00015-009, 2018 WL 510110 (W.D. Va. Jan. 23, 2018). Because Courtney offers no indication that he has obtained certification from the court of appeals to file a second or successive § 2255 motion, I must dismiss Courtney's current action without prejudice.

A separate Final Order will be entered herewith.

DATED: February 21, 2019

/s/ James P. Jones
United States District Judge